### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

CAVANNA, VICENTE

Examiner: Torres, Joseph D.

Serial No.:

10/668,469

Group Art Unit: 2112

Filed:

September 22, 2003

Docket: 10030875-01

Title:

METHODS FOR COMPUTING THE CRC OF A MESSAGE FROM THE

INCREMENTAL CRC'S OF COMPOSITE SUB-MESSAGES

## PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER CFR § 1.181(a)

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir,

The Assignee now petitions The Office of the Deputy Commissioner for Patent Examination Policy to withdraw the above-identified application from the holding of abandonment under 37 CFR §1.181(a).

Assignee received a Notice of Allowability dated June 2, 2008. The Notice of Allowability did not include The Notice of Allowance and Fee(s) Due (PTOL-85). Assignee was notified of this discrepancy from Tony Uranga at the USPTO on or around June 2, 2008. The attached screenshot (see attached Exhibit A) from Assignee's outgoing correspondence in PAIR indicates that on June 2<sup>nd</sup> a document was uploaded entitled "Letter Starting Period for Response (i.e. Letter re: references)." Assignee did not receive this letter and no document is available from the associated link. The only document that was received by the Assignee for this case on June 2<sup>nd</sup> is the Notice of Allowability.

Assignee was informed by Tony Uranga at the USPTO that there is a note in the file that indicates the Notice of Allowance is not in IFW and to re-mail it (see attached Exhibit B). The mailing date of the Notice of Allowance and Fee(s) Due is March 17<sup>th</sup>, however, the image upload of the Notice of Allowance Fee(s) Due (PTOL-85) was not available until June 12, 2008.

Assignee received a Notice of Abandonment dated July 8, 2008 for failure to timely pay the issue fee and publication fee.

It is respectfully requested that this Petition be granted because of the substantial delay in the Assignee receiving the Notice of Allowance and Fee(s) due.

Dated this 10<sup>th</sup> day of July, 2008.

Respectfully submitted,

Scott Weitzel, Reg. No. 54,534

4380 Ziegler Road

Fort Collins, CO 80525

970.288.0747

# **EXHIBIT A**

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#### **EXHIBIT B**

#### MANKE, KATHY

From: Uranga, Tony [Tony.Uranga@USPTO.GOV]

Sent: Wednesday, July 09, 2008 2:46 PM

To: MANKE,KATHY

Subject: RE: Application No. 10/985,459

Kathy,

The below screen shot lists the upload date and time of the Notice of Allowance into IFW.

I cannot provide a snapshot of the RUSH document (05/21/08), but it states that the NOA is not in IFW and to remail it.

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Tony Uranga USPTO/PAIR Team

From: MANKE,KATHY [mailto:kathy.manke@avagotech.com]

Sent: Wednesday, July 09, 2008 4:07 PM

#### **EXHIBIT B**

To: Uranga, Tony

Subject: Application No. 10/985,459

Tony:

As we discussed, please send me a screenshot of the document showing the upload date.

Thanks.

Kathy M. Manke Senior Legal Specialist Avago Technologies Limited 4380 Ziegler Road Fort Collins, CO 80525

970-288-0731 970-288-0617 (fax) kathy.manke@avagotech.com

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